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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,077	05/06/2005	Willem Gerard Ophey	NL 021136	2787

24737 7590 01/11/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

HASAN, MOHAMMED A

ART UNIT	PAPER NUMBER
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2873

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/534,077

Applicant(s)

OPHEY, WILLEM GERARD

Examiner

Mohammed Hasan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1- 8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 - 8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt of acknowledged of papers submitted under 35 U.S.C. 119 (a) – (d), which papers have placed in the file.

Oath/Declaration

2. Oath and declaration filed on 5/6/2005 is accepted.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1- 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Buchroeder (4,278,330).

Regarding claim 1, Buchroeder discloses (refer to figures 1 and 4) a zoom lens having at least a front lens group (I) and a controllable lens group (i.e., a controllable lens group such as II and III or VI and VII), characterized in that the controllable lens

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group comprises two lens elements which are made of different lens materials and are movable with respect to each other (column 3, lines 56 – 66, column 4, lines 1 – 7).

Regarding claim 2, Buchroeder discloses (refer to figure 1) a zoom lens having a lens stop (12) characterized in that the lens stop is arranged near the first lens element of the controllable lens group (i.e., a controllable lens group such as II and III or VI and VII) and is movable together with this lens group (column 3, line 35).

Regarding claim 3, Buchroeder discloses (refer to figure 2) a folding mirror (M2) arranged between the front lens group and the controllable lens group (column 3, lines 5 – 13).

Regarding claim 4, Buchroeder discloses (refer to figure 3), a second folding mirror (M2) behind the controllable lens group (column 3, lines 6 – 13).

Regarding claim 5, Buchroeder discloses (refer to figures 2 and 3) characterized in that the folding mirror (M2) is integrated with the front lens group (column 3, lines 5 – 13).

Regarding claim 6, Buchroeder discloses characterized in that the folding mirror is (M2) arranged such that the angle between the normal to its reflective surface and the optical axis of the front lens group is greater than 45° (as shown in figure 2).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buchroeder (4,278,330) in view of Jo et al (6,844,989 B1).

Regarding claim 7 as applied to claim 1, Buchroeder discloses all of the claim limitations except a camera. However, Jo et al discloses a camera with the lens system (column 1, lines 14 – 17).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a camera in to Buchroeder lens for the purpose of a lens system with a high performance and compact structure as taught by Jo et al (column 1, lines 9 – 11).

Regarding claim 8 as applied to claim 7, Buchroeder discloses all of the claimed limitations except hand – held apparatus comprising input means, information processing means, display means. However, Jo et al discloses a mobile information terminal, a liquid crystal monitor means, an image pickup device including CCD.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a mobile information terminal with a liquid crystal monitor

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and an image pickup device such as CCD in to the Buchroeder lens system for the purpose of a lens system with a high performance and a compact structure (column 1, lines 9 – 11).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The closest reference

Betensky et al (6,373,640 B1) discloses an optical system for digital cameras.

Conclusion

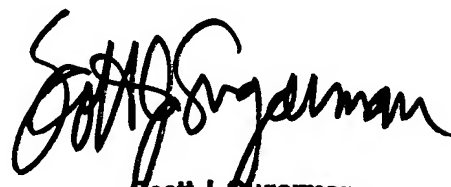
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammed Hasan whose telephone number is (571) 272-2331. The examiner can normally be reached on M-TH, 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky L Mack can be reached on (571) 272- 2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MH
January 7, 2006



Scott J. Sugarman
Primary Examiner